

REMARKS/ARGUMENTS

In the Office Action being responded to the Examiner rejected claims 1 - 21 as anticipated, 36 USC 102 (e), by Wenk et al patent 6,253,088 (hereinafter Wenk). In response thereto applicants have canceled claims 4, 9, 15, and 21, amended claims 1, 2, 3, 5, 6, 8, 10, 14, and 16 to recite applicants' invention more precisely, and added new claims 22, 23, and 24.

Applicants respectfully submit that the Examiner has erred in asserting that Wenk teaches or discloses an arrangement for switching an on-going telephone call between wireline and cellular services. In fact, the Wenk teaching and disclosure are directed to an entirely different problem than applicants' invention. Wenk addresses the problem of forwarding calls between landline and cellular telephones when the call is initiated. In contrast, applicants' invention allows the subscriber to switch between wireline and cellular telephones after the call has been established, that is, during the on-going telephone call.

As stated by Wenk in the Abstract "When the subscriber terminal is determined to have been removed from the vicinity of the personal base station, a message from the personal base station to the external network elements results in modification of a call forwarding address such that subsequent calls intended for the subscriber terminal are in fact routed thereto." Thus, Wenk teaches an arrangement for forwarding "subsequent calls intended for the landline telephone number of the personal base station to the subscriber terminal."

In fact, in describing the Wenk disclosure the Examiner has precisely stated this to be the case, viz., "an incoming call to one of said specific telephone subscribers 10 being routed to said fixed cellular mobility agent (ACRE 22) in response to an output of said routing table." This is precisely what is stated at column 4, lines 59-65, describing that when calls are made to the cellular number, the calls will be routed to the telephone number assigned to the personal base station 18.

Claim 1 has been amended to recite specifically that the monitor circuit is "responsive to a unique signal during the on-going telephone call from said one telephone subscriber indicating a desired transfer of said on-going telephone call between said one specific telephone subscriber's wireline and cellular telephones" and that the switch means effect the transfer of the on-going telephone call. Wenk's disclosure and teaching of determining which telephone or which equipment an incoming call should be forwarded to is not an anticipation nor render obvious applicants' invention for switching existing on-going telephone calls.

New claim 22, dependent on claim 1, recites the additional aspect of applicants' invention involving the use not only of the subscriber's wire line and cellular telephone numbers but also a third number for calls that can be transferred during the on-going telephone call; this third number is described, inter alia, at page 17, line 1 et seq. of applicants' specification. Claims 2 and 3 have been amended to depend from new claim 22.

Claim 5 has been amended to recite the steps of monitoring a signal during the existence of an ongoing telephone call and enabling a switch to effect a transfer of the call between the subscriber's wireline and cellular telephones in response to the monitored signal. Claims 6, 7, and 8 depend from claim 5. New claim 23, also dependent, indirectly from claim 5, recites the use of a third number for calls that can be transferred.

The above-described patentable distinctions also apply to claims 10, 11, 12, 13, 24, 14, 16, 17, 18, 19, and 20. Claim 10 has also been amended to correct an indefiniteness issue, as originally presented.

Reconsideration and allowance of claims 1-3, 5-8, 10-14, and 16-20, as amended, and favorable consideration and allowance of new claims 22-24 are therefore respectfully requested.

It is believed that this application is now in condition to be passed to allowance, and such action is also respectfully requested. However, if the Examiner deems it would in any way expedite the prosecution of this application, the Examiner is invited to telephone applicants' attorney at the number given below.

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